## STATE OF INDIANA BEFORE THE FIRE PREVENTION AND BUILDING SAFETY COMMISSION

IN RE:	)	ADMINISTRATIVE CAUSE NO.
	)	14-07
ACCESSABILITIES, INC	.)	•
	)	
	)	

## **NON-FINAL ORDER OF DISMISSAL**

On August 31, 2015, the Petitioner in this matter filed a Status Report stating that the Fire Prevention and Building Safety Commission had granted the Petitioner a variance on July 7, 2015. The time to appeal the Notice of Variance issued by the FPBSC has since passed, and the variance resolves the remaining issues in this matter.

Accordingly, the Administrative Law Judge now enters this Non-Final Order of Dismissal. The ultimate authority in this matter is the Fire Prevention and Building Safety Commission. Indiana Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file a written objection that

- 1. identifies the basis of the objection with reasonable particularity; and
- 2. is filed with the Commission within fifteen days (or any longer period set by statute) after this order is served.

In the absence of an objection from a party or notice from the Commission of its intent to review any issue related to this order, the Commission shall affirm this order in accordance with Indiana Code § 4-21.5-3-29(c). This order will be considered by the Commission on October 6, 2015, at 9:00 a.m. (EST), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.

Date: September 3, 2015

HON. JUSTIN P. FORKNER

Administrative Law Judge

Indiana Department of Homeland Security

302 W. Washington Street

Indiana Government Center South, Rm W246

Indianapolis, Indiana 46204

Telephone: (317) 234-8917 Fax: (317) 232-0146

E-mail: jforkner@dhs.in.gov

A copy of the foregoing was served by U.S. Postal Service upon the following parties and attorneys of record:

John P. Bushemi, Esq. BURKE COSTANZA & CARBERRY, LLP 9191 Broadway Merrillville, IN 46410

Nancy J. Townsend, Esq. BURKE COSTANZA & CARBERRY, LLP 9191 Broadway Merrillville, IN 46410

Randall Fearnow, Esq. QUARLES & BRADY, LLP 300 North LaSalle Street Suite 4000 Chicago, IL 60654

Julia S. Hudson QUARLES & BRADY, LLP 135 N. Pennsylvania Avenue Suite 2400 Indianapolis, IN 46204

and personally served on the following attorney of record:

Pamela M. Walters, Esq.; Staff Attorney Indiana Department of Homeland Security 302 W. Washington Street Indiana Government Center South, Room W246 Indianapolis, IN 46204